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Pharmaceuticals**

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**SEP 2 8 2006**



To  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Fax 571-273-8300 Pages 11 (including cover sheet)

Date September 28, 2006

From Susan M. Pellegrino

Fax (203) 812-6459 Tel. (203) 812-6450

Re U.S. Patent Application Serial No. 10/559,954

Bayer Pharmaceuticals  
Corporation

400 Morgan Lane  
West Haven, CT 06516

Phone: (203) 812-6450  
Fax: (203) 812-6459

E-mail:  
susan.pellegrino.b@bayer.com

For U.S. Patent Application Serial No. 10/559,954

- 1) Response to Notification of Missing Requirements mailed on March 30, 2006 (2 pages);
- 2) Copy of Executed Combined Declaration and Power of Attorney (3 pages);
- 3) Copy of Notification of Missing Requirements (Form PCT/DO/EO/905 - 2 pages);
- 4) Fee Transmittal (PTO/SB/17) [IN DUPLICATE];
- 5) Certificate of Transmission under 37 CFR 1.8; and
- 6) Fax Cover Sheet.

If you have any problems with the attached facsimile call (203) 812-6450.

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PTO/SB/97 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on September 28, 2006  
Date

Susan M. Pellegrino  
Signature

Susan M. Pellegrino, Reg. No. 48,972

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

For U.S. Patent Application Serial No. 10/559,954

- 1) Response to Notification of Missing Requirements mailed on March 30, 2006 (2 pages);
- 2) Copy of Executed Combined Declaration and Power of Attorney (3 pages);
- 3) Copy of Notification of Missing Requirements (Form PCT/DO/EO/905 - 2 pages);
- 4) Fee Transmittal (PTO/SB/17) [IN DUPLICATE];
- 5) Certificate of Transmission under 37 CFR 1.8; and
- 6) Fax Cover Sheet

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-04v2)

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# **FEE TRANSMITTAL**

## **for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 1,720.00

**Complete if Known**

Application Number	10/559,954
Filing Date	December 8, 2005
First Named Inventor	Martin Hendrix
Examiner Name	
Art Unit	
Attorney Docket No.	LeA 36 784

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
Deposit Account Name

13-3372

Jeffrey M. Greenman

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ )

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 44	Independent claims in excess of 3	
1203 300	2203 150	Multiple dependent claim, if not paid	
1204 88	2204 44	** Reissue independent claims over original patent	
1206 18	2206 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ )

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	130.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	1,590.00
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(a)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 1,720.00

**SUBMITTED BY**

Name (Print/Type)	Susan M. Pellegrino	Registration No. (Attorney/Agent)	48,972	Telephone	(203) 812-6450
Signature	<i>Susan M. Pellegrino</i>	Date	September 28, 2006		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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SEP 28 2006

Attorney Docket No. LeA 36 784

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

International Application No.: PCT/EP2004/06477

International Filing Date: June 16, 2004

U.S. Application No.: 10/559,954

First Named Inventor: Hendrix, et al.

Title: 6-Arylamino-5-Cyano-4-Pyrimidinones as PDE9A Inhibitors

**CERTIFICATION OF TRANSMISSION UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this correspondence and any papers referred to as attached are being facsimile transmitted, on the date shown below, to the U.S. Patent and Trademark Office, facsimile number (571) 273-8300.

Date: September 28, 2006

  
Susan M. Pellegrino**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This replies to the Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) mailed to applicants on March 30, 2006. A copy of Form PCT/DO/EO/905 is enclosed.

Applicants respectfully petition the Commissioner for Patents under the provisions of 37 C.F.R. 1.136(a) to extend the time for filing a response to the Notification of Missing Requirements for four (4) month(s) from May 30, 2006 to September 30, 2006.

**DECLARATION OR OATH**

No declaration or oath was filed. Enclosed is the original declaration or oath for this application (35 U.S.C. 371 (c)(4)).

**COMPLETION FEES**

Surcharge fee for late filing of original declaration or oath (37 C.F.R. 1.492(e)) \$130.00.

**METHOD OF PAYMENT**


The Commissioner is hereby authorized to charge Deposit Account No. 13-3372 in the amount of \$130.00 for the late filing of original declaration or oath and in the amount of \$1,590.00 for the four-month extension of time. A Fee Transmittal form (PTO/SB/17) in duplicate is enclosed.

The Commissioner is also authorized to charge any additional fees, any underpayment of fees, and credit any overpayment to the above deposit account.

Respectfully submitted,

Date: September 28, 2006

Bayer Pharmaceuticals Corporation  
400 Morgan Lane  
West Haven, CT 06516-4175  
Telephone: (203) 812-6450  
Facsimile: (203) 812-6459

  
Susan M. Pellegrino  
Attorney for Applicants  
Reg. No. 48,972

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SEP 28 2006



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United States Patent and Trademark Office  
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www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/559,954	FIRST NAMED APPLICANT Martin Hendrix	ATTY. DOCKET NO. Le A 36 784
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35969  
JEFFREY M. GREENMAN  
BAYER PHARMACEUTICALS CORPORATION  
400 MORGAN LANE  
WEST HAVEN, CT 06516

INTERNATIONAL APPLICATION NO. PCT/EP04/06477	
I.A. FILING DATE 06/16/2004	PRIORITY DATE 06/25/2003

CONFIRMATION NO. 1485  
371 FORMALITIES LETTER  
\*OC000000018414893\*

Date Mailed: 03/30/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/08/2005
- English Translation of the IA filed on 12/08/2005
- Copy of the International Search Report filed on 12/08/2005
- Preliminary Amendments filed on 12/08/2005
- Information Disclosure Statements filed on 12/08/2005
- Request for Immediate Examination filed on 12/08/2005
- U.S. Basic National Fees filed on 12/08/2005
- Priority Documents filed on 12/08/2005
- Specification filed on 12/08/2005
- Claims filed on 12/08/2005
- Abstracts filed on 12/08/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/559,954	PCT/EP04/06477	Le A 36 784

FORM PCT/DO/EQ/905 (371 Formalities Notice)